

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

JOSEPH RAIMONDO,

Plaintiff(s),

CASE NO.: 04-CV-74287-DT

vs.

HON. DENISE PAGE HOOD
MAG. JUDGE WALLACE CAPEL, JR.

THOMAS F. MYERS, et. al.,

Defendant(s).

ORDER TO PROVIDE PROOF OF SERVICE

This matter is before the Court on the Plaintiff's response to the Court's Order to Show Cause issued on October 31, 2005. In that order, the Court directed the Plaintiff to show cause in writing why he has failed to effect service of the complaint and summons upon the remaining Defendants in this civil action.

On November 17, 2005, the Plaintiff filed his response to the order. In his response, the Plaintiff states that he made service of the complaint and summons upon the defendants either by way of personal service, or by the use of the United States mail system. However, the Defendant has not at this point in time filed the appropriate return of service of the complaint and summons with the Clerk of the Court, to verify that service has been effected in the proper manner.

Accordingly, the Plaintiff is hereby ordered to file a return of service of the complaint and summons with the Clerk of the Court within **5 days** of receipt of this Order.

The Plaintiff is further put on notice that if he fails to file the appropriate return of service with the Clerk of the Court, the undersigned shall issue a Report and Recommendation to the district

court judge that this action be dismissed, for failure to prosecute this matter, as to the remaining Defendants who have not been served in this case.

IT IS SO HEREBY ORDERED.

DATED: November 21, 2005

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on **November 21, 2005**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send electronic notification of such filing to the following: not applicable, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participant(s): Joseph Raimondo, P.O. Box 330, Armada, MI 48005, James S. Meyerand, Esq., Jill K. Smith, Esq., Macomb County Corporation Counsel, One S. Main, 8th. Floor, Mt.Clemens, MI 48043

s/James P. Peltier
James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
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